

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Thomas A. Osborne et al.	)	Group Art Unit:
	)	
Filed: March 10, 2004	)	Examiner:
	)	
Serial No.: 10/797,449	)	Attorney Docket: 1-37213
	)	
For: PROSTHETIC VALVE THAT PERMITS	)	
RETROGRADE FLOW	)	
	)	
	)	

September 1, 2004

Honorable Commissioner  
For Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

REQUEST TO CORRECT INVENTORSHIP  
IN ACCORDANCE WITH 37 C.F.R. 1.48

Honorable Sir:

Pursuant to 37 C.F.R. 1.48, a request to correct the inventorship of the above patent application is hereby submitted to the Patent Office.

Enclosed is a statement from the inventor requesting to be added to the application setting forth that the error in inventorship occurred without deceptive intention on his part, pursuant to 37 C.F.R. 1.48(a)(2).

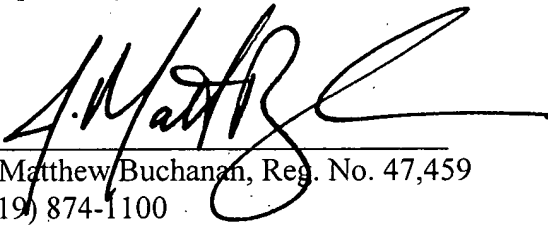
Also enclosed is a declaration by the inventor requesting to be added to the application as required by 37 C.F.R. 1.63, pursuant to 37 C.F.R. 1.48(a)(3),

09/08/2004 WABDELRI 00000005 503156 10797449  
01 FC:1460 130.00 DA

Pursuant to 37 C.F.R. 1.48(a)(5), enclosed is the written consent of the assignee for the addition of the inventor. Consent of the assignee is required because an assignment has been executed by all of the original named inventors.

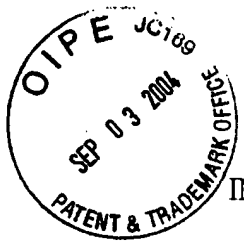
Please charge the request to correct inventorship processing fee of \$130.00 to Deposit Account No. 50-3156, pursuant to 37 C.F.R. 1.48(a)(4). A duplicate of this paper is enclosed for this purpose.

Respectfully submitted,



J. Matthew Buchanan, Reg. No. 47,459  
(419) 874-1100

LAW OFFICES OF FRASER MARTIN BUCHANAN MILLER LLC  
132 West Second Street  
Perrysburg, Ohio 43551  
(419) 874-1100  
(419) 874-1130 (fax)



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
Thomas A. Osborne, et al.	)	Group Art Unit: UNKNOWN
	)	
Serial No.: 10/797,449	)	Examiner: UNKNOWN
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Filed: March 10, 2004	)	Attorney Docket: 1-37213
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For: PROSTHETIC VALVE THAT PERMITS	)	
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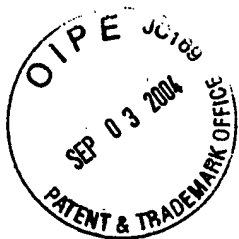
July 23, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

STATEMENT FROM INDIVIDUAL BEING ADDED AS INVENTOR

Honorable Sir:

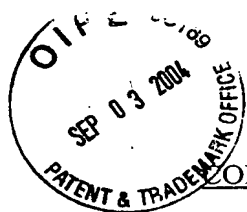
I, Ram H. Paul, hereby state that the error in inventorship for the above-referenced nonprovisional application, which resulted in the absence of my name from the original listing of inventors, occurred without any deceptive intention on my part.



Respectfully submitted,

Ram H Paul August, 16<sup>th</sup> 2004  
Ram H. Paul

Law Offices of Fraser Martin Buchanan Miller LLC  
132C West Second Street  
Perrysburg, Ohio 43551-1401  
(419) 874-1100



Attorney Docket No. 1-37213

COMBINED DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

PROSTHETIC VALVE THAT PERMITS RETROGRADE FLOW

the specification of which is attached hereto unless the following box is checked:

[ X ] was filed on March 10, 2004 as U.S. Application Number or PCT International Application Number 10/797,449 and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Claimed

<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>          </u> Yes	<u>          </u> No
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Day/Month/Year Filed)	<u>          </u> Yes	<u>          </u> No

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

<u>60/454,249</u> (Application No.)	<u>March 12, 2003</u> (Filing Date)
<u>60/488,138</u> (Application No.)	<u>July 16, 2003</u> (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)	<u>                    </u> (status - patented, pending, abandoned)
<u>                    </u> (Application No.)	<u>                    </u> (Filing Date)	<u>                    </u> (status - patented, pending, abandoned)



I hereby appoint the attorney(s) and/or agent(s) associated with the following Customer Number to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith with full power of substitution and revocation:

## Customer Number 42715

Address all telephone calls to J. Matthew Buchanan at (419) 874-1100.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor: Thomas A. OSBORNE

Inventor's signature Thomas A. Osborne Date: Aug. 6, 2004

Residence: 9480 S. Pointe LaSalles Drive, Bloomington, Indiana 47401

Citizenship: U.S.A. Post Office Address: Same

Full name of second inventor: Brian C. CASE

Inventor's signature Brian C. Case Date: Aug. 8, 2004

Residence: 841 Rosewood Drive, Bloomington, Indiana 47404

Citizenship: U.S.A. Post Office Address: Same

Full name of third inventor: Mark W. BLEYER

Inventor's signature Mark W. Bleyer Date: 03 Aug 2004

Residence: 1849 Blackbird Court, West Lafayette, Indiana 47906

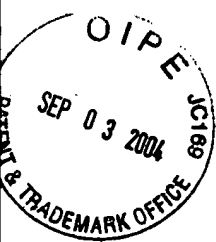
Citizenship: U.S.A. Post Office Address: Same

Full name of fourth inventor: Ram H. PAUL

Inventor's signature Ram H Paul Date: 06 August 2004

Residence: 1251 West Church Lane, Bloomington, Indiana 47403

Citizenship: U.S.A. Post Office Address: Same



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July 23, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CONSENT OF ASSIGNEE TO CHANGE IN INVENTORSHIP

Honorable Sir:

The entire right, title and interest to the above referenced nonprovisional patent application has been assigned to Cook, Inc. An assignment from the originally listed inventors has been recorded in the records of the United States Patent and Trademark Office at reel 014786 and frame 0315. A copy of any assignment from Mr. Ram H. Paul, an inventor who was erroneously not listed in the original listing of inventors, is attached to this Consent.

As Assignee of the entire right, title and interest to the above-referenced nonprovisional patent application, Cook, Inc. hereby consents to the correction of inventorship that adds Mr. Ram H. Paul as an inventor.

I, Mr. Thomas A. Osborne, hereby state that I am authorized to act on the behalf of Cook, Inc.  
in matters pertaining to the correction of inventorship for the above-referenced nonprovisional patent  
application.

Respectfully submitted,

Cook, Inc.

by

Thomas A. Osborne . Aug. 17, 2004

Thomas A. Osborne  
Senior Vice President of  
IP Growth and Development

Law Offices of Fraser Martin Buchanan Miller LLC  
132C West Second Street  
Perrysburg, Ohio 43551-1401  
(419) 874-1100



**ASSIGNMENT**

WHEREAS, Ram H. Paul, hereinafter called the "Assignor", has made the invention described in the patent applications entitled PROSTHETIC VALVE THAT PERMITS RETROGRADE FLOW, for a full description of which reference is here made to a utility application for Letters Patent for the United States and an International PCT patent application, both filed on March 10, 2004 and assigned Application Serial Nos. 10/797,449 and PCT/US04/07219, respectively;

WHEREAS, Cook Incorporated, a corporation organized and existing under the laws of the State of Indiana, having a place of business at 750 Daniels Way, Bloomington, Indiana 47404, hereinafter called the "Assignee", desires to acquire the entire right, title and interest in and to the invention and the patent applications identified above, and all patents which may be obtained for said invention, as set forth below;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00), and other valuable and legally sufficient consideration, the receipt and sufficiency of which by the Assignor from the Assignee is hereby acknowledged, the Assignor has sold, assigned and transferred, and by these presents does sell, assign and transfer to the Assignee, the entire right, title and interest for the United States in and to the invention and the patent applications identified above, and any patents that may issue for said invention in the United States; together with the entire right, title and interest in and to said invention and all patent applications and patents therefor in all countries foreign to the United States, including the full right to claim for any such application all benefits and priority rights under any applicable convention; together with the entire right, title and interest in and to all continuations, divisions, renewals and extensions of any of the patent applications and patents defined above; to have and to hold for the sole and exclusive use and benefit of the Assignee, its successors and assigns, to the full end of the term or terms for all such patents.

The Assignor hereby covenant and agree, for both the Assignor and the Assignor's legal representatives, that the Assignor will assist the Assignee in the prosecution of the patent applications identified above; in the making and prosecution of any other patent applications that the Assignee may elect to make covering the invention identified above; in vesting in the Assignee like exclusive title in and to all such other patent applications and patents; and in the prosecution of any interference which may arise involving said invention, or any such patent application or patent; and that the Assignor will execute and deliver to the Assignee any and all additional papers which may be requested by the Assignee to carry out of terms of this Assignment.

The Commissioner of Patents and Trademarks is hereby authorized and requested to issue patents to the Assignee in accordance with the terms of this Assignment.

IN TESTIMONY WHEREOF, the Assignor has executed this agreement.

DATED: August 16<sup>th</sup> 2004

Ram H Paul  
Ram H. Paul

STATE OF Indiana )  
 )  
COUNTY OF Monroe ) ss.

I, Christine Humphrey, a Notary Public in and for the County and State aforesaid, do hereby certify that Ram H. Paul, personally known to me to be the same person whose name is subscribed to the foregoing instrument, appeared before me the day in person and acknowledged that (s)he signed, sealed and delivered the said instrument as his/her free and voluntary act for the uses and purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this 16 day of August, 2004.

Christine Humphrey  
Notary Public

My Commission Expires: July 2, 2009